

**UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WISCONSIN**

J.J., by and through his next friend,
Saleena Jackson; **K.D.**, by and through
her next friends, John Levy and Meranda
Davis; **C.M.**, by and through his next friend
Toinette Ducksworth; **R.N.**, by and through
his next friend Gloria Norwood, **M.S.**, by
and through his next friend Jolene Waupekanay;
A.V., by and through his next friend Veronica
Rocha-Montejano; **M.R.**, by and through his next
friend Autumn Rodgers; **S.K.**, by and through her
next friend, Thomas Korn; and **A.P.**, by and
through her next friend, Louise Plaskey, for
themselves and all others similarly situated,

Plaintiffs,

v.

Case No.: 17-CV-47

JON E. LITSCHER, in his official capacity
as Secretary of the Wisconsin Department
of Corrections; **JOHN D. PAQUIN**, in his
official capacity as Administrator of
Division of Juvenile Corrections of the
Wisconsin Department of Corrections;
WENDY A. PETERSON in her official capacity
as Superintendent of the Lincoln Hills
School for Boys and the Copper Lake
School for Girls; **BRIAN GUSTKE**, in his official
Capacity as Director of Security for the Lincoln
Hills School for Boys and the Copper Lake
School for Girls,

Defendants.

DECLARATION OF MEGAN JONES

I, MEGAN JONES, being first duly sworn upon oath, declare and state as follows:

1. I am the Director of Research and Policy at the State of Wisconsin Department of Corrections (“DOC”). I have held that position for 1.2 years. I make this declaration based on my own personal knowledge, experience, and training.

2. I hold a bachelor’s degree from the University of Wisconsin-Madison in Psychology, a master’s degree from the University of Nebraska-Lincoln in Legal Studies, a master’s degree from the University of Nebraska-Lincoln in Psychology, and a Ph.D. from the University of Nebraska-Lincoln in Psychology.

3. The Research and Policy Unit of the DOC works with cross-divisional program and policy chiefs and analysts at the agency to provide statistical information on offender populations, program performance indicators, and policy impact analysis.

4. The Research and Policy Unit serves as an agency resource to support a department-wide strategy to implement evidence-based practices through data-driven policy development and research.

5. As the Director of Research and Policy, it is within the normal course of my job to research, compile, and analyze data relating to correctional practices in Wisconsin and across the country. I then present the data to officials within the DOC to help inform the policy-making process.

6. In or around February, 2017, I compiled data regarding restrictive housing at Lincoln Hills School for Boys (“LHS”) and Copper Lake School for Girls

(“CLS”). Around that same time, my staff also conducted research about the use of restrictive housing in juvenile correctional facilities nationwide.

7. The data that I compiled relating to restrictive housing at LHS and CLS was gleaned from the DOC-906 form called “Midnight Population Breakdown Log,” which documents the LHS/CLS population daily at midnight and is attached hereto as Exhibit A. The population in restrictive housing was taken from each form completed on every Friday in 2016 and compiled in one table (and corresponding graph). Averages were derived from this data.

8. My staff conducted research about the use of restrictive housing in juvenile correctional facilities nationwide. Some of the research and data compiled regarding other states’ use of restrictive housing was gleaned from a report titled *51 – Jurisdiction Survey of Juvenile Solitary Confinement Rules in Juvenile Justice Systems* produced by the Lowenstein Center for the Public Interest, and attached hereto as Exhibit B. Data was also obtained through searches of states’ juvenile corrections webpages and other online sources.

9. In or around February, 2017, I compiled the research and data related to restrictive housing, and arrived at the following conclusions:

- a. in 2016, on average, 17% of the youth population at LHS was placed in restrictive housing on any given day;
- b. in 2016, on average, 15.5% of the youth population at CLS was placed in restrictive housing on any given day;
- c. 73% of states in the United States (37 states, including Wisconsin)

used restrictive housing, including Wisconsin.

10. Based on my training and experience in the fields of policy research and statistical compilation and analysis, it is my opinion that the data obtained and compiled by my staff and myself is accurate to a reasonable degree of statistical certainty, as of February, 2017.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 25th day of May, 2017.

By: s/ Megan Jones
MEGAN JONES